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DGP & RCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kan Frankie FAN

Application No.: 09/897,660

Filed: July 2, 2001

For: DYNAMIC NETWORK LOAD BALANCING OVER HETEROGENOUS LINK SPEED

Confirmation No.: 9837

Art Unit: 2663

Examiner: Richard Chang

Attorney Dkt. No.: 58268.00141

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 14, 2005

Sir:

Request is hereby made for a refund in the amount of One Hundred and Twenty Dollars (\$ 120.00).

The refund is requested for the fees paid for an extension of time to respond to the Office Action dated July 13, 2005. The reason for the necessity of this extension is delay in receipt of the Office Action by the Attorney of Record. The reason for the delay in receipt by the attorney of record is that the Office Action was mailed to the wrong address. As has been requested repeatedly, all correspondence in this case is to be sent to:

L. Barton, Reg. No. 47,271; Marc A. Sockol, Reg. No. 40,823; Vidya R. Bhakar, Reg. No. 42,323; Daryl C. Josephson, Reg. No. 37,365; Cameron Kerrigan, Reg. No. 44,826; David B. Abel, Reg. No. 32,394; Nathan Lane, Reg. No. 43,738; Lorinda Howland, Reg. No. 42,671; Michael Lechter, Reg. No. 27,350; David Koo, Reg. No. 46,839; David Rogers, Reg. No. 38,287; William Bachand, Reg. No. 34,980; Aaron Wininger, Reg. No. 45,229; Paul A. Durdik, Reg. No. 37,819; Paul J. Meyer P47,791; David A. Levine, Reg. No. 48,821; Victor Repkin, Reg. No. 45,039; Victoria L. Nicholson, Reg. No. 47,823; and Fariba Sirjani, Reg. No. P47,947.

Should any fees be due with respect to this paper, please charge Counsel's Deposit Account No. 50-2222.

Respectfully submitted,

**SIGNATURE ON  
ORIGINAL**

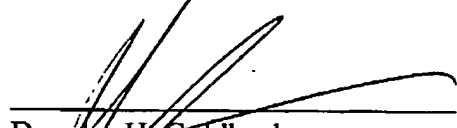
Douglas H. Goldhush  
Reg. No. 33,125

**Customer Number 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Telefax: 703-720-7802

DHG:scc

Additionally, it is respectfully requested that the delay in response not be counted against the Applicant for purposes of determining adjustments to patent term, if the application eventually issues, when such calculations are made.

Respectfully submitted,



Douglas H. Goldhush  
Reg. No. 33,125

**Customer Number 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
8000 Towers Crescent Drive, 14<sup>th</sup> Floor  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802

DHG/PCF:kmp

Enclosures: Appendix A: Copy of Notification of Change of Name and Address and Associate Power of Attorney with stamped Postcard as filed on April 8, 2002

Appendix B: Copy of the Copy (as filed on April 8, 2002) of Notification of Change of Name and Address and Associate Power of Attorney that was re-filed on March 2, 2005 with the stamped Postcard



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 9837

Kan Frankie FAN

Art Unit: 2663

Application No.: 09/897,660

Examiner: Richard Chang

Filed: July 2, 2001

Attorney Dkt. No.: 58268.00141

For: DYNAMIC NETWORK LOAD BALANCING OVER HETEROGENOUS LINK SPEED

**PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

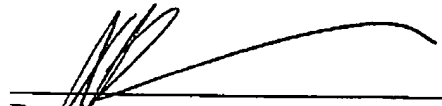
November 14, 2005

Sir:

Applicant petitions the Commissioner for Patents to extend the time for response to the Office Action dated July 13, 2005, for one month(s) from October 13, 2005, to November 13, 2005.

Enclosed is a check in the amount of One hundred and Twenty Dollars (\$120.00) to cover the cost of the extension fee. In the event that this check is found to be insufficient, or if any additional fees are due with respect to the filing of this paper, please charge Counsel's Deposit Account Number 50-2222.

Respectfully submitted,

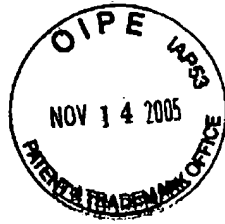
  
Douglas H. Goldhush  
Registration No.: 33,125

Customer Number 32294  
SQUIRE, SANDERS & DEMPSEY LLP  
8000 Towers Crescent Drive, 14<sup>th</sup> Floor  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802  
DHG/PCF:kmp

Encl: Response to Office Action, Petition for a One-Month Extension of Time  
Request for Refund with Appendix A and Appendix B  
Check No. 13618

Repln. Ref: 11/22/2005 SDIRETA1 0012202100  
DAH: 502222 Name/Number: 09897660 \$120.00 CR  
FC: 9204

11/16/2005 HALI11 00000075 09897660  
01 FC:1251 120.00 OP  
Adjustment date: 11/22/2005 SDIRETA1  
11/16/2005 HALI11 00000075 09897660  
01 FC:1251 -120.00 OP



# APPENDIX A



Patent ☒ Trademark ☐ Docket No. 58265-001410

Serial No. 09/897,660 Filed: July 2, 2001

Applicant(s) FAN

Papers filed herewith: April 8, 2002

☒ Fees

☒ New Application

☒ Response/Amendment

☒ Notice of Appeal

☒ IDS/PTO 1449

☒ Other

☐ Assignment of PTO-1595

☐ Declaration

☐ Priority Document

☐ Request for Extension of Time

☐ Drawings

Power of Attorney

Notification of Change of Name and Address and Associate

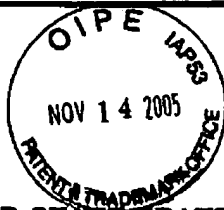
Receipt is hereby acknowledged of the above-identified case.

DHG:acc

APR 08 2002

COMMISSIONER OF PATENTS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FAN

Application Number: 09/897,660

Filed: July 2, 2001

Atty. Docket No.: 58268-00141

For: DYNAMIC NETWORK LOAD BALANCING OVER HETEROGENEOUS LINK  
SPEED

**NOTIFICATION OF CHANGE OF NAME AND ADDRESS**  
**AND ASSOCIATE POWER OF ATTORNEY**

Commissioner of Patents  
Washington, D.C. 20231

April 8, 2002

Sir:

The undersigned attorney of record respectfully requests that the correspondence name and address for the above-identified application be changed to the following:

**Customer Number 32294**  
**SQUIRE, SANDERS & DEMPSEY LLP**  
**14<sup>TH</sup> Floor**  
**8000 Towers Crescent Drive**  
**Tysons Corner, Virginia 22182-2700**  
**Telephone: 703-720-7800**  
**Telefax: 703-720-7802**



**32294**

PATENT TRADEMARK OFFICE

Further, the undersigned, an attorney of record in connection with the above-identified application, hereby grants and appoints as associate attorneys to conduct all business before the United States Patent & Trademark Office relative to said application:

Douglas H. Goldhush, Reg. No. 33,125; Kevin F. Turner, Reg. No. 43,437;  
Dinnatia J. Doster, Reg. No. 45,268; Sam Huang, Reg. No. 48,430; Rhonda

# APPENDIX B



Patent ☒ Trademark ☐ Docket No. 58268.00141

Serial No. 09/897,660 Filed July 2, 2001

Applicant(s) FAN

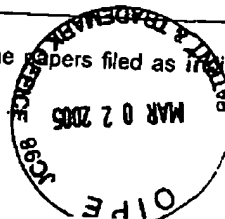
Papers filed herewith on March 2, 2005

- |   |  |
|---|--|
| <input type="checkbox"/> Fees \$ _____  | <input type="checkbox"/> Assignment w/ PTO-1595                |
| <input type="checkbox"/> New Application ( _____ Pages)   | <input type="checkbox"/> Declaration                           |
| <input type="checkbox"/> Response/Amendment ( _____ Pages)  | <input type="checkbox"/> Priority Document ( _____ )           |
| <input type="checkbox"/> Notice of Appeal   | <input type="checkbox"/> Req. for Ext. of Time ( _____ months) |
| <input type="checkbox"/> IDS/PTO-1449 (3 Refs.)   | <input type="checkbox"/> Drawings (Formals - _____ sheets)     |
| <input checked="" type="checkbox"/> Other Transmittal Letter and Copy of Notification of Change of Name and Address and Associate Power of Attorney Filed April 8, 2002; Copy Of Stamped-Receipt Postcard |  |

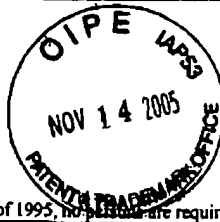
Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

AMC:dll

Due Date: N/A



COMMISSIONER OF PATENTS



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

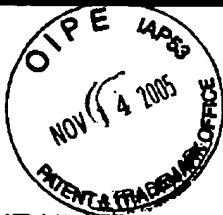
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/997,660
		Filing Date	July 2, 2001
		First Named Inventor	FAN
		Group Art Unit	2661
		Examiner Name	Richard Chang
Total Number of Pages in This Submission	3	Attorney Docket Number	58268.00141

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notification of Change of Name and Address and Associate Power of Attorney filed April 8, 2002; Copy of Stamped-Receipt Postcard
<b>Remarks:</b> Please update the U.S. Patent and Trademark Office database with the current correspondence address for this application.		
<b>SIGNATURE OF APPLICANT, ATTORNEY OR AGENT</b>		
Firm or Individual Name	Alicia M. Choi Registration No. 46,621 Squire, Sanders & Dempsey L.L.P.	
Signature		
Date	March 2, 2005	



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Should any fees be due with respect to this paper, please charge Counsel's Deposit Account No. 50-2222.

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ORIGINAL**

Douglas H. Goldhush  
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8000 Towers Crescent Drive  
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Telephone: 703-720-7800  
Telefax: 703-720-7802

DHG:scc

☐ **Assignment of PTO-1000**  
☐ **Declaration**  
☐ **Priority Document**  
☐ **Fee for Ext. of Time**  
☐ **Drawings**  
☐ **Other: Notation of Change of Name and Address and Associates**  
☐ **Form of Assignment**

Received by Patent Commissioner of the  
 above-identified case  
 Date:

Received by Commissioner of Patents

(APR 11 1988)

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